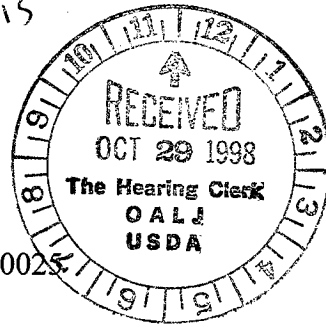


Davis

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE



In re:	)	P. & S. Docket No. D-97-0025
	)	
Garfield R. Freeze,	)	
	)	Decision Without Hearing by Reason
Respondent	)	of Consent

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 et seq.) by a Complaint filed by the Deputy Administrator, Packers and Stockyards Programs, GIPSA, United States Department of Agriculture, alleging that respondent willfully violated the Act and the regulations issued thereunder (9 C.F.R. § 201.1 et seq.). This Decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondent admits the jurisdictional allegations in paragraph I of the Complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this Decision.

Complainant agrees to the entry of this Decision.

Findings of Fact

- (1) Garfield R. Freeze, hereinafter referred to as the respondent, is an individual whose business mailing address is Route 2, Box 86, Elkton, Virginia 22827.
- (2) Respondent is, and at all times material herein was:
  - (a) Engaged in the business of buying and selling livestock in commerce for his own account; and
  - (b) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for his own account.

Conclusions

Respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this Decision, such Decision will be entered.

Order

Respondent Garfield R. Freeze, his agents and employees, directly or indirectly through any corporate or other device, in connection with his operations subject to the Packers and Stockyards Act, shall cease and desist from engaging in business in any capacity for which bonding is required under the Act and the regulations without filing and maintaining an adequate bond or bond equivalent, as required by the Act and regulations.

In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), respondent is assessed a civil penalty in the amount of Seven Hundred Dollars (\$700.00).

The provisions of this Order shall become effective on the sixth day after service of this order on the Respondents.

Copies of this Decision shall be served upon the parties.

Garfield R. Freeze 10-25-98  
Garfield R. Freeze  
Respondent

Andrew Y. Stanton  
Andrew Y. Stanton  
Attorney for Complainant

Issued this 29<sup>th</sup> day of  
October, 1998.

James Hunt  
Administrative Law Judge